

When Xenophobia Rears Its Ugly Head: A Challenge to Responsible and Responsive Governance

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Introduction

In April 2015, South Africa was once again reeling from the shock of deep-seated animosity and violence against foreign migrants, mostly from the African continent. This followed the widespread outbreaks of xenophobic violence across South Africa in 2008, and the sporadic and more localised outbursts ever since. Xenophobia is not a new global phenomenon. It is as old as human migration, dating back to early centuries of human existence. While the phenomenon is complex, its manifestation has a context. In most cases, it is driven by global economic forces that have exacerbated inequalities among people and nations, increased global poverty and marginalised the majority of people in both developing and developed countries. Indeed, the glaring economic and development disparities between countries globally mean that migration remains an ongoing process that cannot be stopped. However, most governments have not developed concrete responses to this global phenomenon, such as establishing mechanisms for integrating migrant communities into their local economies. Furthermore, they have not addressed adequately the issues of income inequalities, and skewed economic development and poverty, which are critical factors that fuel tensions between local hosts and foreign nationals. This has been the case in Africa, Europe and North America (between Mexico and United States of America). As a result, governments around the world have not been able to respond proactively to xenophobic crises; instead their responses have been ad hoc, incoherent and largely out-of-touch with realities. And South Africa is no exception. For governments to demonstrate responsive and responsible governance, they need to develop policies that facilitate the integration of migrant communities into local economies while at the same time address the pressing socio-economic development challenges. This paper reflects on a particular manifestation of xenophobia that occurred in Durban in 2015. It narrates the roles played by civil society organisations and the municipality as the crisis unfolded, and concludes with a number of recommendations.

The DDP's context

Since its inception in 1993, the Democracy Development Program (DDP) has been actively involved in deepening democracy in South Africa. For the DDP, deepening democracy implies increasing community participation in the democratic process by creating safe spaces where civil society can engage on issues that matter to them the most. The essence of DDP is not to instruct people on how to conduct themselves but rather to use its methodology to work with different stakeholders, to advance their capacity. This is done through workshops, dialogues and information sessions, to give them workable skills to speak for themselves, as well as to enhance their voice as enshrined in the Bill of Rights.

In addition to acting as an agent of change, DDP also performs a critical activist role, by raising awareness of constitutional rights and obligations, and monitoring, analysing and responding to government policy and legislation for social transformational change. An example of the DDP's work, principally its advocacy role, can be found in its experience and response to the recent xenophobic attacks that mocked the sense of Ubuntu in South Africa, particularly in and around Durban, KwaZulu-Natal. The attacks were marked by intimidation, physical violence, looting and murder and, in the overwhelming majority of the xenophobic attacks, the targets were mostly black, foreign nationals.

On 9 April 2015, the DDP visited a camp site in Isipingo, where foreigners from five different nations were being housed. The purpose of the visit was to speak to foreign nationals about their living conditions and their immediate needs, as well as to gather insight about the xenophobic attacks that were ravaging a number of communities within the City of Durban. Based on information gathered at this visit, the DDP formulated a response and sent an open letter, through its involvement with the KwaZulu-Natal Civil Society Organisation Coalition (KZNCSOC), to the President of South Africa, Jacob Zuma, stating its displeasure with the violence against African nationals and calling for the president to take a decisive action against the perpetrators.¹

This paper is a reflection on both DDP's understanding of, and response to, the xenophobic attacks in April 2015. The paper argues that, while the City of Durban responded to the violence, there is room for the City, and indeed the state, to be more responsible and responsive when communities are faced with a crisis of this nature. The response could have been more appropriate and beneficial to foreign nationals before, during and after the attacks, through a more strategic relationship with civil society. The City was short-sighted and fragmented in its response, and the DDP believes that this type of reaction echoes the lack of a proper framework of a responsible and responsive governance found more generally in South Africa. This paper also argues that civil society organisations, such as the DDP, are important, as they campaign actively for the enforcement of civil rights, improvements at all levels of government, and maintaining sustainable democracy and good governance for the benefit all living in South Africa, as constitutionally enshrined in the Bill of Rights.

After examining definitions of xenophobia and arguing that the word encompasses both an attitude and a practice, the discussion reflects on the factors that sparked the xenophobic violence in Durban. The paper then details the DDP's response to the xenophobic attacks through its association with the KZNCSOC, and describes its role in mobilising other organisations into action. The City of Durban's response is also examined. The paper closes with some suggestions on the important role of civil society in enabling the state to be more responsible and responsive.

Understanding xenophobia

One definition of xenophobia is a 'hatred or fear of foreigners' (Branford and Thompson 1994), whereby xenophobia is characterised by a destructive attitude towards foreigners – fear, dislike or hatred. However, defining xenophobia as an attitude includes no comment on the consequences or effects of such a mind-set. 'This is misleading, because xenophobia in South Africa is not restricted to a fear or dislike of foreigners' (Hook and Eagle 2002: 170).

Kollapan (1999) warns that xenophobia cannot be detached from violence and physical abuse. The term xenophobia must be reframed to include practice. Put differently, xenophobia is not just an attitude, such as a dislike or fear of foreigners, but rather an activity and a ferocious practice that has possible consequences of bodily harm and damage. More predominantly, the violent practice that encompasses xenophobia must be further developed to consist of its specific target, because, in South Africa, not all foreigners are uniformly victimised (Hook and Eagle 2002). Rather, black foreigners, particularly those from Africa, comprise the majority of victims. The forces of xenophobic attacks must also be placed in context: in South Africa, foreign nationals are a minority group with little political muscle, and so they are an easy, identifiable target of the majority of black working class citizens (Alvarez and Bachman 2014). Hook and Eagle (2002: 170) furthermore state that 'it is also significant

¹ This letter, as well as a subsequent one, which acknowledges efforts on the part of the state, can be found at <http://www.kznscoc.org.za/news.php>.

to explore why “the unknown” represented by, largely black, foreigners should necessarily invite repugnance, fear or aggression’.

Causes of xenophobia

The causes of the violence, which injure and even in extreme cases lead to the loss of life, are multi-layered and complex. They operate at a macro, societal level as well as at a more micro, local level.

At a macro level, forces, such as socio-economic reasons, pervasive inequalities, poverty, and disillusionment with government, a self-hate syndrome and the emergence of a tribal identity, play a role in exacerbating tensions between different communities. The legacy of apartheid has left many people suffering under the weight of growing unemployment and poverty. Khamango (2010) reports on the link between lack of development and xenophobia by referring to growing economic inequalities among South Africans and the lack of access to employment.² Government has failed to implement policies that create jobs and grow the South African economy. There is also widespread disillusionment with a government that is unable to significantly change the lives of the marginalised and minority groups, such as African foreigners and the poor, in such a way that provides tangible evidence of better living standards (Adam and Moodley 2015).

Other socio-economic factors include the constricted housing market with residential stratification, which aggravates service delivery problems and intensifies already high levels of crime. Corruption in the Department of Home Affairs and other state agencies also contributes to the problem (Bond et al. 2010: 6–7). In fact, wealthy South Africans have set up a structure that is meant to super-exploit migrant labour, in particularly within the mining sector, from both within South Africa and the wider region for their own economic benefit (Bond et al. 2010: 8–9).

Moral values are degrading in South Africa because of the perception that wrong-doers of violence face little or no consequence. In addition, many people do not trust the criminal justice system, believe that the courts are too lenient and/or the system takes too long to achieve results.³ Nevertheless, besides economic factors, the attacks on foreigners suggest the emergence of a tribal identity in which black South African see themselves as different to other Africans.⁴

Additionally, a deeper phenomenon being witnessed, which is associated with violence, is that of a self-hate syndrome. This describes an attitude of envy by especially black South African citizens of foreigners (Adam and Moodley 2015). Strong retail business rivalry between local and foreign shop owners is common and is associated with the perception that foreigners are more successful at running businesses than their South African counterparts. According to Aubrey Matshiqi, a well-known political analyst, this self-hate syndrome has built up over the years, as a result of the impact of colonisation, Apartheid and the general violent history of South Africa on the psyche of the population of South Africa (Bhengu 2015). This syndrome is further exacerbated by the belief and practice that employers pay foreigners less than locals, and so foreigners are being employed in jobs that are rightfully those of South Africans.

² T Khamango, UN: Socio-economic problems behind xenophobia, *Mail & Guardian*, 29 September 2010. <http://mg.co.za/article/2010-09-29-un-socioeconomic-problems-behind-xenophobia>

³ S Grootes, When the economy suffers, xenophobia thrives, *Daily Maverick*, 15 April 2015. <http://www.dailymaverick.c.za/article/2015-04-15-op-ed-when-the-economy-suffers-xenophobia-thrives/#.VS7gChOUdI8>

⁴ X Mangcu, It has begun: South Africa’s new violent tribalism, *Rand Daily Mail*, 29 April 2015. <http://www.rdm.co.za/politics/2015/04/29/it-has-begun-south-africa-s-new-violent-tribalism>.

Turning to causes of xenophobia at a micro level, discontent between local inhabitants and immigrants could spark a xenophobic attack (Anon 2015⁵; Bond et al. 2010). The tipping point that incites violence should not be seen as a sudden event, but rather a gradual build-up of tension based on causes that operate at the level of society. The DDP believes that two incidents ignited some of the worse cases of xenophobic violence witnessed by South Africa since the xenophobic attacks of 2008.

Sparks that ignited the 2015 xenophobic attacks in Durban

The two sparks of violence were the remarks of the Zulu King Goodwill Zwelithini and the firing of locals at a shop in Isipingo.

In March 2015, during a moral regeneration event, the speech given by Zulu King Goodwill Zwelithini to the Pongolo community appears to have been one of the most important triggers of the violence against foreign nationals.^{6,7} Although the speech did not specifically speak about the violent removal of foreign nationals from the country, the message was clear: 'foreign nationals must go home'.⁸ In fact, De Vos⁹ argues that, in terms of common law, a reasonable person would conclude that the speech by King Zwelithini – which incidentally were sentiments echoed by Edward, son of President Zuma¹⁰ – could be interpreted as having the intention to be hurtful, incite harm, or to promote and propagate hatred against foreigners. Even though the King merely fulfils a symbolic and ceremonial role in a constitutional monarchy, the King regards himself as a politician who makes highly provocative and inflammatory statements. That said, the statement uttered by the Zulu King was not the only contributor to the violence, but a verbal expression of something deeper that is wrong in South Africa.

The second spark was when a shop owner in Isipingo fired local employees, and replaced his workforce with cheaper, foreign workers (Anon 2015¹¹). The shop owner's action ignited the anger of locals who already perceived African foreigners as competition for their jobs.

The ensuing violence spread fear and panic like wildfire among migrant communities, and the attacks proliferated in a number of communities throughout the country. Foreign African nationals used social media platforms, such as WhatsApp, Facebook, and BBM, to keep updated about events happening in different areas and to forewarn each other of possible dangerous hotspots. These communication platforms were also a useful mechanism for identifying areas where the need for resources was the greatest. However, the use of social media also had negative aspects, as incorrect information and rumours were spread. These false rumours gained momentum and created fear among the end users. One such rumour suggested that terror groups, such as Boko Haram, were threatening revenge attacks

⁵Anon 2015. Informal conversation with local Non-Governmental Organisations and foreign nationals that were affected in the Isipingo area.

⁶ P De Vos, The king of hate speech? *Daily Maverick*, 15 April 2015.

<http://www.dailymaverick.c.za/article/2015-04-15-the-king-of-hate-speech/.Vs6YrHouDI8>

⁷ G Whittles, Zulu king. SAHRC to discuss xenophobia complaints. The monarch is accused of inciting xenophobic violence, *EWN News*, 19 May 2015. <http://ewn.co.za/2015/05/19/SAHRC-and-Zwelithini-to-discuss-his-xenophobic-remarks>.

⁸ YouTube, King Goodwill Zwelithini says foreigners must go, 2 April 2015. <https://youtu.be/MWXHafqb4pU>.

⁹ P De Vos, The king of hate speech? *Daily Maverick*, 15 April 2015.

<http://www.dailymaverick.c.za/article/2015-04-15-the-king-of-hate-speech/.Vs6YrHouDI8>

¹⁰ King welcomes meeting to clarify xenophobic remarks, *News24*, 8 April 2015.

<http://www.news24.com/SouthAfrica/News/King-welcomes-meeting-to-clarify-xenophobic-remarks-20150408>.

¹¹Anon 2015. Informal conversation with local Non-Governmental Organisations and foreign nationals that were affected in the Isipingo area.

on South African nationals in Nigeria. More problematic was the circulation of these images by media houses without verification. One of the rumours was that mobs were on their way to schools in some areas in Durban. This led concerned parents to remove their children from schools.¹² One could argue that the misinformation, which led to a sense of the unknown and anxiety, was intended to paralyse a population.

Examining the responses

During and in the aftermath of the xenophobic attacks, different stakeholders responded in a variety of ways, from providing humanitarian aid to condemning the attacks, from the ranks of the United Nations Secretary General, Ban Ki-Moon as well as from the African Union Chair, Dr Nkosazana Dlamini-Zuma.

The DDP response

The DDP believes that civil society has a significant role to play in providing a sustainable solution to a challenge where the rights of minority groups, which are protected under the Constitution of South Africa, are compromised. The DDP responded in two ways: in its capacity as KZNCSOC Secretariat, and in an organisational capacity.

The KZNCSOC, of which DDP is a founding member and Secretariat, is a coalition that represents the interests of civil society in KwaZulu-Natal. It was formed in 2014 with the aim of giving a voice to civil society. The response from the KZNCSOC could be regarded as one of the most emphatic reactions to the xenophobic attacks. Through an open letter to the President, the KZNCSOC called for more decisive action from the State and its security agencies: to provide targeted protection to the victims of the violence, to take action against the perpetrators of the violence, and to work with the media to raise awareness about the detriments of such acts, which contravened constitutional principles and the nation's values. In reality, the response of KZNCSOC demonstrated the role of civil society in providing leadership and a process for achieving social cohesion through meaningful dialogues between the victims of the xenophobic attacks, the state, donor as well as host communities.

The KZNCSOC letter to the President was part of a broader action plan, which was informed by the values of humanity and social justice, and contained the following aspects:

- Convene dialogues between the civil society organisations and organisations representing migrant communities, to give these communities an opportunity to tell their stories, explore possibilities and determine a course of action in collaboration with the KZNCSOC Secretariat, the DDP.
- Publicise its efforts through media outlets – including hosting radio talk shows on the subject of xenophobia, conducting radio interviews and issuing statements to local print media. The KZNCSOC participated in one SABC TV and six live radio interviews organised by the KwaZulu-Natal Community Radio Forum (KZNCRF), to inform citizens of its response to the challenge and to provide its perspectives regarding the state and media responses to the situation, among other issues.
- Coordinate responses by similar organisations, as coordinated efforts give credibility to civil society interventions that engage with the victims of xenophobia attacks and relevant

¹² Nair N, Social media abuzz with false rumours over xenophobic attacks. *Times Live*, 16 April, 2015. <http://www.timeslive.co.za/local/2015/04/16/social-media-abuzz-with-false-rumours-over-xenophobic-attacks>.

government agencies. In consolidating the efforts of member organisations, the KZNCSOC, through the DDP, offered its members support, through making meeting spaces available and connecting organisations with other city-wide efforts responding to the challenge.

Civil society's role in promoting social cohesion and the establishment of safer communities cannot be underestimated. However, the hard work of civil society actors has to be coordinated, so efforts are not fragmented and have no impact on the ground, especially considering that short-term responses to the crisis are not sustainable.

In its organisational response, the DDP was guided by its philosophy of community building, which enables citizens to exercise their power and voice in a way that is respected and heard by their fellow citizens. The DDP approached the crisis in a number of different ways. First, through its partnership with African Solidarity Network (ASONET), which represents the interests of foreign nationals living in South Africa, the DDP obtained first-hand information about violent hotspots and the on-the-ground needs. Second, as already mentioned, the DDP conducted site visits to camps to obtain information about conditions and to determine what humanitarian aid was needed. Third, the DDP held meetings with the refugees and convened gatherings to agree on the strategy for engaging the City of Durban. Fourth, the DDP coordinated the efforts of different organisations to speak with a single voice. Specifically, the DDP:

- Linked up with Right2Know (R2K) to bring the different community leaders together at DDP House in Durban and provided a venue for discussions. The DDP also helped facilitate a dialogue around the degree of collaboration with the City, particularly related to the planned peace march through the City.
- Brought together eight civil society organisations, including church groups and organisations that worked with refugees, to engage the City and find out exactly what their plans were, as the serious lack of coordination was obvious.
- Set up a fund for humanitarian aid, mainly for food and clothing, as many in the camps had fled with nothing except the clothes on their backs and whatever they could carry.

The local government response

Local government, through the City of Durban, responded to the violence by arranging a peace march, which was seen as a collective response from civil society, individuals and the City. These arrangements came after an incident that occurred on 14 April 2015, when a group of foreign nationals, led by R2K obtained a permit from the City to hold a peaceful protest march to highlight the events that were unfolding at that time. On the day of the march, the permit was revoked, citing possible violence as the reason. By this time, the group had already incurred costs, for example the hiring of buses. Some members decided to march despite the ban on the event, and police subsequently used water cannons and rubber bullets to disperse the protesters.

At the same time, a Member of the Executive Council for Home Affairs in KwaZulu-Natal addressed civil society organisations and foreign national leaders saying how serious the government was about addressing the ongoing violence and invited all citizens to a citizens' march on 16 April 2015, led by the ANC as a demonstration of solidarity with the foreign nationals. The City of Durban called a meeting to talk about this march and its logistics. Two ideas were proposed, both of which the DDP believed were not carefully thought through. First, the march was to be led by the ANC and not the City. Second, foreign nationals were to be bussed in from the camps to be a part of the march, leaving the women and children behind, unguarded in the camps.

The foreign national leaders rejected the proposed march, as they had lost faith in the ANC and feared more violence, on the basis that the police would not be able to control both the unguarded camps and the march itself. The City then revised the strategy and arranged a peace march for 16 April 2015, which was to be led by the mayor, Councillor James Nxumalo, and the Premier of the Province of KwaZulu-Natal, Senzo Mchunu.

The march itself could be classed as successful, as it brought together approximately 4000–5000 people, including DDP staff, onto the streets of Durban to voice their anger at what was happening. The heavy police presence made sure that there was no violence. It is important to note that the march did bring, graphically, to the international community the full story of what was happening in South Africa. However, on other fronts, the City of Durban's response could be said to be lacking.

- The initial response from the police was to hesitate over arresting propagators of the violence. This inability of the state's security operators to arrest hooligans and criminals, who had damaged homes and business properties owned by African nationals, gave the unfortunate message that these acts were not regarded as criminal and so did not warrant arrest and prosecution. The state appeared to be taking the side of the offenders of the violence. In addition, anecdotal evidence suggested that the police often arrived too late and, when they did arrive, did little to apprehend the criminals.
- The Disaster Management Unit of the City of Durban was largely ineffective in bringing together the necessary departments to ensure that the camps were well set up with sanitation, food and shelter. Food was provided mainly by local communities around the camps and organisations like Gift of the Givers and religious organisations. The City had made no provision for these types of resources. At one of the camps, showers were only installed after five days. Dr Somadoda Fikeni, a political analyst, commented that the ANC's intervention is often delayed due to internal factions within the organisation itself.¹³
- Meetings between the City of Durban and different stakeholders, including the metro police, the office of the Zulu King, civil society organisations and the Department of Home Affairs, were haphazard and changed at the last minute without any explanation.
- The scale of the attacks was underestimated and, as a consequence, national government was not approached for assistance. For instance, despite many calls from civil society, the army was not called in to help quell the violence.
- Government at all levels took unilateral decisions with little consultation with civil society organisations on the ground, especially with regard to the planned peace march. The march would have been much more successful if civil society had been sufficiently mobilised and communities engaged around the issues of the violence.
- No concerted effort was made to get the Zulu King to revoke his statement and to ask for an end to the violence when it first erupted. When the King did call for an Imbizo, which took place at Moses Mabhida stadium on 20 April 2015, the intervention came too late and, regrettably, was not accompanied by an open apology for his initial utterances made, calling for foreigners to leave the country.

In general, the state appeared to choose to work with any organisation that was providing humanitarian support but failed to coordinate its own programme of intervention. Its fragmented approach to the crisis undermined its capacity to interact with the victims of xenophobia. These weaknesses limited the state's ability to be responsive and responsible. The state's biggest short-

¹³ ANC takes too long to resolve issues: Analyst, *SABC News*, 4 May 2015.

<http://www.sabc.co.za/news/a/3130fe80483fe65ea393ff4d11703986b/ANC-takes-long-to-resolve-issues:-Analyst-20150504>.

coming in the aftermath of the violence was that it did not strongly come out in favour of the rights of a marginalised minority, both in the form of the police response to the attacks and by not holding the King to account.

Civil society and government's role in building a responsive and responsive state

If managed properly, the relationship between the two role players *could be* a beneficial one. In the face of the violence, this could have culminated in a coherent and holistic effort to urgently stop the brutality and assist those so desperately in need. But the state does not appreciate civil society as a genuine partner. Nevertheless, civil society has a significant role to play in terms of lobbying and working with the state, as well as an activist and an agent of change. DDP makes the following suggestions for strengthening the hand of civil society, as well as that of the state, and becoming more responsive to and responsible about handling crisis of this nature and proportion.

Civil society should actively lobby the state to develop anti-xenophobia policies coupled with other policies aimed at accelerating skills development to vulnerable segments of the population, such as the youth, so that they can be appropriately equipped to engage effectively in the economy.

Civil society's response needs to go beyond relief and humanitarian efforts. The response has to address the pressing causes that create an environment conducive to xenophobia. Urgent attention is needed to deal with developmental challenges, such as poverty, high levels of unemployment, increased corruption by state departments responsible for basic services provision, unfair business competition between local and migrant communities and any geopolitical stresses. Civil society can engage the state, its agencies and the business community in responding to some of these challenges and collaboratively develop sustainable solutions aimed at ameliorating their effects on under-served communities. More employment opportunities and relevant skills training for local communities need to be made available. Furthermore, regulations to encourage the upward mobility of informal traders should be accelerated, so that competition is lessened – without this, increased competition remains a catalyst for xenophobic violence.

Civil society should continue creating invented spaces for dialogue with all stakeholders, including migrant communities and their South African hosts. Transformational dialogues, based on the values of humanity, compassion and social justice, are key processes that promote social cohesion and build empathic communities. Ongoing dialogue is needed about social cohesion and what it means for individual communities in the region.

Civil society should also lobby both provincial and metro governments to improve and accelerate city housing plans. For instance, same-sex hostels should be removed, as these have turned to be breeding grounds for socio-economic discontent, as a consequence of high influx of local and foreign migrants and competition for space. Slow and improper housing development has led to overcrowding of informal settlements and townships, fuelling socio-cultural frustrations, which further exacerbate an already volatile environment.

State departments need to be strengthened in their ability to deliver its services. In the context of the xenophobic violence, the Disaster Management Unit of the City of Durban needs to be better resourced and its processes more transparent. Services at the Department of Home Affairs also need to be bolstered. In particular, immigration processes at South African borders and other entry points need to be tightened. Border porousness has been an area of concern and needs urgent attention. Furthermore, the Department of Home Affairs needs to be better resourced to process and vet applications for entry into South Africa.

Government's role in upholding community building and active citizenship should be to facilitate processes and support citizens in communities and empower them to participate in their own development.

Conclusion

A variety of complex factors fuel xenophobia. The most recent xenophobic attacks in Durban demonstrate how the causes of xenophobia are profoundly complex and multifaceted and, indeed, what the response needs to be. And while civil society has a role to play in addressing the triggers and supporting marginalised and minority communities in a crisis, the state has a more fundamental and critical role to play. The state, and more particularly local government, needs to lead the response on three crucial fronts. First, it needs to be pre-emptive, by addressing the causes of xenophobia. Second, as violence rears up and displacement occurs, the state needs to have a coherent and transparent action plan to respond to xenophobic attacks. This includes having to take urgent, structured and decisive steps to stop the violence and brutality, as well as providing the right kind of support to meet immediate needs. And, third, post facto, the state needs to provide support to displaced communities to help them to reintegrate into local communities. For such a layered and multifaceted response to develop, capacities and relationships need to be strengthened. And this is where building relationships with civil society actors can be beneficial for the state. The DDP responded to the violence by mobilising a number of relevant stakeholders to provide a comprehensive and sustainable response to the xenophobic crisis. The DDP is committed to having more targeted community dialogues and constant engagement with local government to ensure that the plight of the African migrant community is protected and their human rights are upheld, so that xenophobia does not rear its ugly head time and time again.

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